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**Government of the District of Columbia**



**Department of Public Works**

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Testimony of  
**William O. Howland, Jr.**  
Director, Department of Public Works

***"Bill 17-761"***  
***"SOLID WASTE DISPOSAL FEE AMENDMENT  
ACT OF 2008"***

Committee on Public Works and the Environment  
Jim Graham, Chair  
Council of the District of Columbia

September 22, 2008

Council Chamber, Room 500  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 20004  
2 P.M.

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**TESTIMONY OF WILLIAM O. HOWLAND, JR.  
DIRECTOR, DC DEPARTMENT OF PUBLIC WORKS  
BEFORE THE COMMITTEE ON PUBLIC WORKS AND THE ENVIRONMENT  
ON BILL 17-761  
“SOLID WASTE DISPOSAL FEE AMENDMENT ACT OF 2008”  
MONDAY, SEPTEMBER 22, 2008, 2 PM**

- Good afternoon Chairperson Graham and members of the Committee on Public Works. My name is William O. Howland, Jr. I am the Director of the District of Columbia Department of Public Works. I am here to speak in favor of Bill 17-761, the “Solid Waste Disposal Fee Amendment Act of 2008.”
  
- Before turning to the specifics of Bill 17-761, I would like to provide some brief summary information. DPW’s Solid Waste Management Administration operates two solid waste transfer facilities, one at 3200 Benning Road, NE and the other at 4900 Bates Road, NE.
  
- Solid waste collected by both District government and private collectors is delivered to the transfer stations where it is moved onto large trucks and hauled away for disposal. Private contractors who dispose of solid waste at our facilities pay a fee, based on the cost of providing this service.

- Under the formula approved by the Council, this fee is calculated based on estimated material processing costs per ton. We do not over-calculate the fee in order to collect a "profit"; nor do we under-calculate it, which would have the effect of subsidizing private haulers.
- The Council originally provided that fee changes were subject to both the rulemaking procedure under the DC Administrative Procedure Act and a 45-business day Council review period. Last year, the Council amended this to allow some fee changes to be made through the rulemaking process that would not be subject to the Council review period. This procedure applies as long as a fee change is based on a change in the cost to be paid our contractor under a Council-approved contract to haul away and dispose of solid waste from the transfer stations.
- In practical terms, this means that when the company that hauls waste from our transfer stations to a disposal site increases the fee that it charges us, we can pass this increase on to our customers after we go through a rulemaking to increase the fee.

- But if other non contract-based costs, such as labor or operating expenses, increase, we may change the fee only after going through the regular rulemaking process *and* a 45-business day Council review period. This delays our ability to implement fee changes.
- If the proposed fee change is an increase, until the increase goes into effect the District government is, in effect, subsidizing the cost of providing this service to private haulers. And our need to keep track of two different approval processes for different components of a fee change is confusing and administratively burdensome.
- Bill 17-761 would simplify the process for all transfer station fee changes. All fee changes would be subject to the rulemaking process. This will ensure that the public, most notably the commercial transfer station customers, are notified of fee changes and have an opportunity to comment on them. Further, it will ensure that we can implement all fee changes promptly, allowing us to pass on our costs in a timely manner and preserve a neutral fiscal impact on DPW's budget.

- Thank you for giving me the opportunity to testify. Again, I ask for your support of Bill 17-761, and I would be happy to respond to your questions.